



Ministry
of Justice

Victims of crime:
**Understanding
your rights**

If you are a victim of a crime that took place in England or Wales, the Victims' Code gives you the right to information and support from criminal justice organisations such as the police and the courts.

You also have the right to be referred to support services for victims. You don't need to report the crime to the police to get help from these organisations. You can call them yourself and tell them what has happened.

You also have the right to support if you are a close relative of somebody who has been killed as a result of a crime or if you are a parent or carer of a victim of crime aged under 18.

The Victims' Code explains these and other rights:

[gov.uk/victims-code](https://www.gov.uk/victims-code)

An easy read version and a children's version can also be found through this link.



How should you expect to be treated?

All victims of crime have the right to:

- be treated with respect, dignity, sensitivity, compassion and courtesy
- make informed choices that are fully respected
- have your privacy rights under the law respected
- be offered help so that you and your family can understand and engage with the criminal justice process – this help will be offered in a professional manner, without discrimination of any kind

Enhanced services

Victims who are considered vulnerable or intimidated, are victims of the most serious crime (for example domestic abuse, hate crimes, sexual offences and including a bereaved close relative) or have been persistently targeted can receive enhanced services. This can include referral to a specialist support service, being contacted sooner after key decisions and having access to special measures (see page 10).



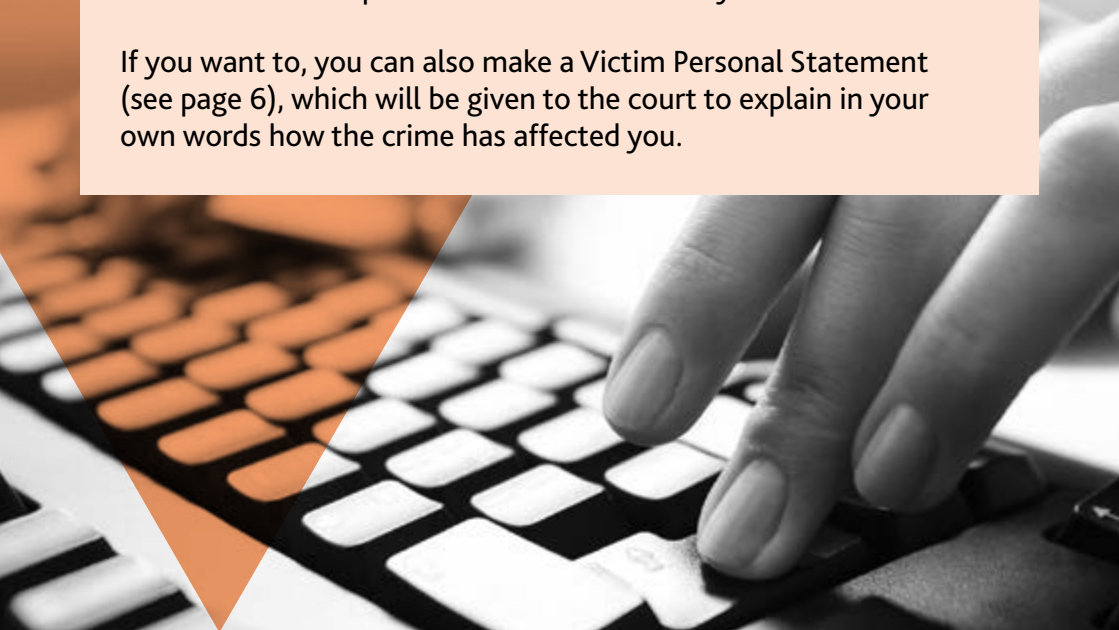
Reporting the crime

You can report a crime to the police by visiting a police station, by phone or online. The police will give you information about what to expect from the criminal justice system after reporting the crime. If a support service for victims is already supporting you, you can talk to them about whether you want to report the crime.



The police may ask you to make a witness statement saying what happened during the crime. Before you make a witness statement the police must assess your needs to see whether you would benefit from additional support. The witness statement will give details such as when the crime took place and where and what you saw. Sometimes witness statements can be videoed instead of being written down. The police will discuss this with you.

If you want to, you can also make a Victim Personal Statement (see page 6), which will be given to the court to explain in your own words how the crime has affected you.



Keeping you informed

The police will keep you informed as progress is made in the investigation and let you know if any arrests are made and if suspects are charged. The police will ask how often you would like to hear from them during the investigation and how you would like to be contacted (e.g. by phone, email, text).

If the police decide not to investigate your case, they must tell you and explain why.



Getting help from support services for victims

You do not have to report a crime to access help from support services for victims.

If you do report the crime, the police can pass your details on to a support service for victims that can provide practical and emotional support tailored to your needs. This can include specialist support such as for children, victims of sexual offences, or victims of domestic abuse.

If you do not want the police to refer you, you can ask them not to.

If your details are passed on, someone from the support service for victims will get in touch with you.

More information is available at:
[gov.uk/get-support-as-a-victim-of-crime](https://www.gov.uk/get-support-as-a-victim-of-crime)



Victim Personal Statement (VPS)

Making a VPS gives you a voice in the criminal justice process. It lets you explain in your own words how the crime has affected you physically, emotionally, financially or in any other way. Your VPS is different from your witness statement.

You must be given the opportunity to make a VPS if:

- you complete a witness statement or provide evidence by means of a video recorded interview
- you are assessed as needing an enhanced service (see page 3)

If you are a vulnerable adult or under the age of 18, and it is in your best interests, your parent or carer may make a VPS on your behalf.

If you do not fall into one of these categories, you can still ask to make a VPS, but it will be at the police's discretion, where it seems appropriate.

You do not have to make one if you do not want to.

Even if you choose not to make a VPS at first, you may do so later, providing it is before the sentencing of the offender.

Once you have completed and signed your VPS, it cannot be changed or withdrawn. However, you can provide another one to the police to add more information.

The police will ask whether you would like all or part of your VPS to be read out or played in court if the case goes to trial and the suspect is found guilty.

You can ask to read the VPS out yourself in open court or ask somebody else to read it out for you. The court will decide whether to allow this. Whether or not your VPS is read out, the court will have a written copy of your VPS and will consider it before deciding on the sentence.

Your VPS will be shown to the defendant. If the case is tried in open court, you may be asked questions about it by the lawyer acting for the defendant, though this rarely happens. If you are questioned, what you say could be reported in the media.

More information is available at:
[gov.uk/government/publications/victim-personal-statement](https://www.gov.uk/government/publications/victim-personal-statement)

Out of court disposals

The police or the Crown Prosecution Service (CPS) may decide to deal with the case without taking it to court. This is called an out of court disposal. Examples include a caution or a penalty notice. The police or CPS will take the final decision after considering the full circumstances of the offence and your views. They must tell you the reasons for their decision.

More information is available at:
[sentencingcouncil.org.uk/explanatory-material/magistrates-court/item/out-of-court-disposals/](https://www.sentencingcouncil.org.uk/explanatory-material/magistrates-court/item/out-of-court-disposals/)



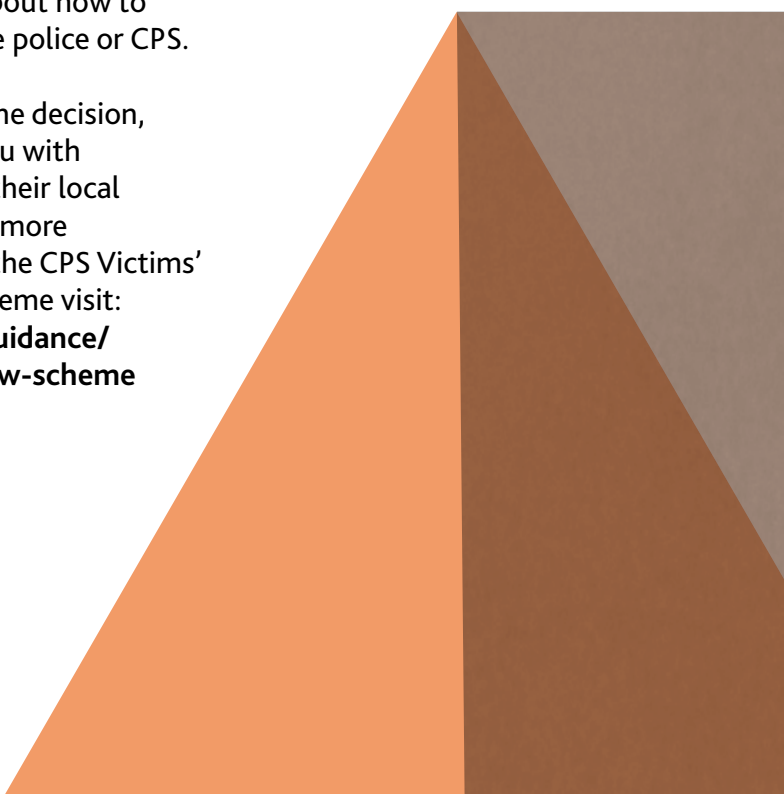
Decision not to prosecute

If the police have followed all reasonable lines of enquiry and have not located a suspect, they will close the investigation and provide you with the reasons for doing so. If a suspect has been identified the police or CPS must tell you if they decide not to prosecute a suspect for the crime and give you the reasons why. If you are dissatisfied with a decision not to prosecute, you can ask for a review within three months of the decision. You should be provided with information about how to seek a review by the police or CPS.

If the police make the decision, they will provide you with information about their local review scheme. For more information about the CPS Victims' Right to Review scheme visit: cps.gov.uk/legal-guidance/victims-right-review-scheme

Decision to prosecute

The police investigation may lead to a suspect being charged with doing the crime, which means they will go to court. Depending on the circumstances of the case, the police or the CPS will decide whether there is enough evidence to take a suspect to court.



Going to court

Once the suspect has been charged, you will be contacted, usually by a Witness Care Officer (a police employee whose job is to help victims and witnesses with any practical problems about getting to court) or an equivalent point of contact. They will stay in touch to help you until the case is over, letting you know court dates and locations and whether the suspect has been released on bail or is being held in custody until the trial begins. If your case does go to court, you may be a witness in the trial. Your Witness Care Officer will tell you if you must give evidence in court.

Your Witness Care Officer can put you in touch with witness support services who can arrange support before and on the day of the trial, including visits to the court before the trial begins.

More information is available at:
[gov.uk/going-to-court-victim-witness](https://www.gov.uk/going-to-court-victim-witness)



Special measures

Depending on your circumstances, you may be eligible for special measures during the trial to help you give your best evidence in court. Special measures could include:

- having your police interview video-recorded instead of written – this can be played at the trial
- giving your evidence and being cross-examined by the defence lawyer earlier in the court process on video as evidence, so you do not have to attend the trial at all
- having screens around the witness box or giving evidence by live video-link, so you do not have to face the suspect or their family
- having your evidence in court held in private
- having an intermediary to help you to understand questions when being interviewed and at the trial

Some categories of witness are automatically entitled to special measures, and the police will say if you are one of those witnesses.

In other cases, the police must assess whether you would benefit from special measures.

If you are to have special measures, the police must discuss which ones will help you most and ask the court to allow you to use them.

The court will make the final decision and will consider your preferences. However, granting special measure applications is always a judicial decision.

More information about special measures and whether you may be eligible can be found at: www.gov.uk/going-to-court-victim-witness/extra-protection-in-the-courtroom

If the crime was serious or you are vulnerable: gov.uk/your-rights-after-crime

Information about extra protection in the courtroom: gov.uk/going-to-court-victim-witness

The trial

If you are the victim of the crime but not giving evidence as a witness, you can watch the trial from the beginning. You should tell the Witness Care Unit or your point of contact with the police so they can let the court know that you will be there.



If you are a witness, you can only watch the trial in court after you have given your evidence.

Being a witness

If you are a victim of the crime and appearing in court as a witness, you have the right to:

- where circumstances permit, meet the prosecutor who is presenting the case in court who will explain what to expect and answer any questions you may have
- wait in an area away from the suspect and their family and friends

- have any special measures set up where the court has ordered them
- be introduced to a member of court staff (or of witness support services) will answer your questions about what is happening in the case during the trial

More information about going to court as a witness can be found at: [gov.uk/going-to-court-victim-witness](https://www.gov.uk/going-to-court-victim-witness)

Being a witness

Videos are also available about:

Magistrates' courts:

<https://youtu.be/pkhyy-r-cF0>

The Crown Court:

<https://youtu.be/j7qlFHLaWKM>

Being a witness:

<https://youtu.be/WPtompXJGcU>

If you are giving evidence as a witness, but you are not the victim of the crime, the Witness Charter provides you with information about the support and services available to you. The Witness Charter is available at:

gov.uk/government/publications/the-witness-charter-standards-of-care-for-witnesses-in-the-criminal-justice-system



Victim Contact Scheme

The Victim Contact Scheme is a service for victims of sexual and/or violent crimes where the offender is sentenced to 12 months or more in prison. If you are eligible, your details will be referred automatically to the scheme by the police or Witness Care Unit. You will be contacted by a Victim Liaison Officer (VLO) who will tell you about the scheme to help you decide if you want to take part. If you choose to take part in the scheme, your VLO will keep you updated about what happens to the offender during the sentence, including if they become eligible for parole.

If you take part in the scheme, you will also have the legal right to request conditions you think should be included on the offender's licence when they are released back into the community. This could include a no-contact condition and an exclusion zone, prohibiting the offender from visiting areas near where you live or frequently travel.

More information can be found at:
[gov.uk/get-support-as-a-victim-of-crime](https://www.gov.uk/get-support-as-a-victim-of-crime)



The parole process

For prisoners whose release falls to the Parole Board, victims can make a VPS (please see page 6) and apply to the Parole Board to read it aloud. Victims can also request a summary of the Parole Board decision and ask the Secretary of State to make a reconsideration application where the Parole Board has directed release.



More information can be found at: gov.uk/guidance/the-parole-boards-commitment-to-victims-of-crime

The Parole Board also has its own leaflet: gov.uk/government/publications/parole-board-information-booklet-for-victims

Restorative justice

After the crime has taken place, as the victim, you may want to ask the offender questions about what happened or explain the impact the crime had on you. You may be able to have this contact through a process called restorative justice.

If the offender is an adult and restorative justice is available in your local area, the police or support service for victims will inform you about how you can take

part in this. It is up to you if you take part or not. Both you and the offender need to agree for the contact to take place.

If the offender is under the age of 18 and restorative justice is available in your local area, the Youth Offending Team managing the case should tell you about how you can take part.

You can find more information at: gov.uk/get-support-as-a-victim-of-crime

Compensation

If you have been a victim of a violent offence, you may be eligible for compensation from the Criminal Injuries Compensation Authority (CICA). The police will provide you with information about how to apply.

To find out more about whether you are eligible and how to apply, contact CICA on 0300 003 3601 or visit: [gov.uk/claim-compensation-criminal-injury](https://www.gov.uk/claim-compensation-criminal-injury)

If you are a victim of a non-violent offence, you might receive court-ordered compensation and can make a claim for civil compensation. Court-ordered compensation can be claimed for most kinds of offence and is paid to the court by the defendant and forwarded to you. You should also be told how to make a civil claim, but you should get your own legal advice if you want to consider this.

Making a complaint

If you believe you haven't received your rights under the Victims' Code, you can make a complaint. All agencies you come into contact with must provide you with information about their complaints procedure.

If you are unhappy with the response you receive, you can make a complaint via your MP to the Parliamentary and Health Service Ombudsman.

You can find your MP at: members.parliament.uk/FindYourMP

More information on how to make a complaint can be found at:

www.ombudsman.org.uk

[gov.uk/your-rights-after-crime/make-a-complaint](https://www.gov.uk/your-rights-after-crime/make-a-complaint)

If you need this leaflet in an alternative format, for example in large print, please call +44 (0)203 334 3555 or email: general.queries@justice.gov.uk